

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YESENIA RIVERA GABRIEL,

Petitioner,

v.

ANTHONY JAMES LAVISON,

Respondent.

CASE NO. 2:22-cv-00006-TL

ORDER REGARDING INITIAL  
CASE SCHEDULING,  
PROCEDURAL INFORMATION,  
AND EARLY SETTLEMENT

**I. INITIAL CASE SCHEDULING**

Pursuant to this Court's Order Modifying and Extending Temporary Restraining Order, Dkt. No. 20, the Court sets the following initial case scheduling date:

Deadline for the Parties to Confer  
and File a Joint Proposed Scheduling  
Order to Proceed with Hearing the  
Petition on the Merits:

**2/11/2022**

Any request for an extension of the deadline above must comply with the procedures set forth in this Court's Standing Order for All Civil Cases. *See*

<https://www.wawd.uscourts.gov/sites/wawd/files/LinStandingOrderreCivilCases.pdf>. Petitioner

1 and Respondent shall meet and confer before contacting the Court to request an extension and  
2 include a certification as to this requirement with any opposed motion.

## 3 II. PROCEDURAL INFORMATION

4 All counsel and *pro se* parties shall review the Local Rules, Electronic Filing Procedures  
5 for Civil and Criminal Cases, court forms, instruction sheets, and General Orders, which can be  
6 found on the Court's website at [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov).

7 In addition, all counsel and *pro se* parties shall review Judge Lin's Chambers Procedures  
8 at <http://www.wawd.uscourts.gov/judges/lin-procedures>.

9 **Counsel and *pro se* parties are expected to abide by the requirements set forth in the**  
10 **Local Rules as well as Judge Lin's Chambers Procedures. Failure to do so may result in the**  
11 **imposition of sanctions.**

## 12 III. PROPOSED JOINT SCHEDULING ORDER

13 As noted above, all counsel and any *pro se* parties are directed to confer and provide the  
14 Court with a combined Proposed Joint Scheduling Order (the "Proposed Order") by  
15 **February 11, 2022**. This conference shall be by direct and personal communication, whether  
16 that be an in-person or virtual face-to-face meeting or a telephonic conference. The Proposed  
17 Order will be used to set a schedule for the prompt resolution of the petition. It must contain the  
18 following information:

- 19 1. The parties' views, proposals, and agreements, by corresponding paragraph letters (A,  
20 B, etc.), on the following topics:

21 (A) Whether and to what extent the parties anticipate engaging in discovery and  
22 the date by which discovery will be completed.

23 (B) Whether the parties intend pursue resolution through mediation and the date  
24 by which any mediation will occur.

(C) The total number of hours the parties anticipate needing for the evidentiary hearing.

(D) The number of witnesses each party intends to have testify at the hearing and confirmation that all witnesses will be able and available to participate remotely via Zoom; and

(E) Whether either party or any party's witnesses will require the services of an interpreter and if so, in what language.

(F) Any suggestions for shortening or simplifying the case.

(G) Any dates on which the parties or counsel may have conflicts or other complications to be considered in setting a hearing date.

2. The date the petition will be ready for an evidentiary hearing on the merits and all related due dates (prehearing statements, motions *in limine*, stipulations, etc.). The Court notes that expedited resolution of this matter would be in the best interest of the child. The Hauge Convention further instructs courts to expedite proceedings and encourages petitions to be resolved within six (6) weeks of filing, where possible. The parties are directed to consider this expectation of expedited proceedings in the Proposed Order. Should the parties propose a hearing date beyond six (6) weeks of the filing date, a written consent to the proposed schedule by Petitioner and Respondent shall be filed contemporaneously with the Proposed Order.

3. A certification that all counsel and any *pro se* parties have reviewed Judge Lin's Chambers Procedures, the Local Rules, and the applicable Electronic Filing Procedures.

1 4. A certification that all counsel and any *pro se* parties have reviewed and complied  
 2 with Judge Lin's Standing Order Regarding 28 U.S.C. § 455 and Canon 3 of the Code  
 3 of Conduct for United States Judges.

4 If the parties are unable to agree on any part of the Proposed Order, they may answer in  
 5 separate paragraphs. No separate proposals are to be filed. If the parties wish to have a status  
 6 conference with the Court at any time during the pendency of this action, they should notify  
 7 Kadya Peter, Courtroom Deputy, at [Kadya.Peter@wawd.uscourts.gov](mailto:Kadya.Peter@wawd.uscourts.gov).

#### 8 IV. PRO SE RESOURCES

9 If any party intends to appear at the hearing *pro se*, or without legal counsel to represent  
 10 them, they are directed to review the resources provided by this District entitled Representing  
 11 Yourself that are available online at [https://www.wawd.uscourts.gov/representing-yourself-pro-](https://www.wawd.uscourts.gov/representing-yourself-pro-se)  
 12 [se](https://www.wawd.uscourts.gov/representing-yourself-pro-se).

#### 13 V. EARLY SETTLEMENT CONSIDERATION & NOTIFICATION

14 When civil cases are settled early—before becoming costly and time consuming—all  
 15 parties and the Court benefit. The Federal Bar Association Alternative Dispute Resolution Task  
 16 Force Report for this District has stated:

17 [T]he major ADR-related problem is not the percentage of civil cases  
 18 that ultimately settle, since statistics demonstrate that approximately 95%  
 19 of all cases are resolved without trial. However, the timing of settlement  
 20 is a major concern. Frequently, under our existing ADR system, case  
 resolution occurs far too late, after the parties have completed discovery  
 and incurred substantial expenditure of fees and costs.

21 The judges of this District have adopted a resolution “approving the Task Force's  
 22 recommendation that court-connected ADR services be provided as early, effectively, and  
 23 economically as possible in every suitable case.” The steps required by this Order are meant to  
 24 help achieve that goal while preserving the rights of all parties.

1 If settlement is achieved, counsel shall immediately notify Kadya Peter, Courtroom  
2 Deputy, at [Kadya.Peter@wawd.uscourts.gov](mailto:Kadya.Peter@wawd.uscourts.gov).

3 **VI. SANCTIONS**

4 The parties are responsible for complying with the terms of this Order. The Court may  
5 impose sanctions on any party who fails to comply fully with this Order.

6 Dated this 31st day of January, 2022.

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8 \_\_\_\_\_  
9 Tana Lin  
United States District Judge